

# JOURNAL OF THE FLORIDA SENATE

Thursday, May 17, 1973

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—40:

Mr. President	Gordon	Myers	Stolzenburg
Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil

Prayer by the Senate Chaplain, Dr. R. M. McMillan:

Eternal God, you have taught us that we shall work by the sweat of our brow and we neither shrink from the endeavor nor reject the idea. So while we work, we also pray, for we dare not work alone.

You too, our God, have your work to do and with your divine energy and the sweat of our brows we shall mutually be fruitful for the good of all mankind.

We thank you for life with its challenges and adventures. The joy of living is ours who serve, for in serving we plant the seeds of a future harvest. Teach us the expectancy of the harvest of service; the diligence to cultivate the furrows of our endeavors; the patience to await the fruition of our efforts; the ultimate joys of reaping the harvest one hundred fold.

So bless these thy servants in yet another day's ministry to humanity.

In the name of our Lord we pray. Amen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Thursday, May 17, 1973:

SB 606	SB 1187	SB 358	SJR 237
SB 608	SB 975	SB 728	SB 1024
SB 609	SB 484	SB 1048	SB 870
SB 901	SB 867	SB 469	

*Respectfully submitted,  
Dempsey J. Barron, Chairman*

The Committee on Rules and Calendar recommends that an emergency exists compelling consideration of the following bill: SB 1A by Senator Myers re Cuban refugees

*Respectfully submitted,  
Dempsey J. Barron, Chairman*

The Committee on Rules and Calendar recommends that no emergency exists compelling consideration of the following bills: Senate Bills 2A and 3A by Senator Poston re drivers' licenses

*Respectfully submitted,  
Dempsey J. Barron, Chairman*

The Committee on Agriculture recommends the following pass:

SB 1254	HB 802	HB 1896
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The Committee on Commerce recommends the following pass:

SB 825 with 3 amendments	SB 1049
SB 911	HB 1503 with 2 amendments
SB 964 with 2 amendments	HB 1504

The Committee on Criminal Justice recommends the following pass:

SB 1165	SB 448 with 2	HB 1144
SB 446	amendments	
SB 490 with 1	SB 445 with 5	
amendment	amendments	

The Committee on Education recommends the following pass:

SB 596	SB 805 with 1 amendment
SB 781 with 2 amendments	SB 890 with 2 amendments
SB 1052	SB 1128
SB 621	HB 425
SB 983 with 1 amendment	HB 899
SB 1235	

The Committee on Judiciary recommends the following pass:

CS for HB 495	SB 41
SB 153	SB 1132
SB 886 with 2 amendments	SB 1284 with 2 amendments
CS for HB 771 with 4	SB 1169
amendments	SB 1139
HB 812	SB 1140
HB 215	SB 1253
HB 380 with 2 amendments	SB 1061
CS for HB 1023	CS for HB 382 with 1 amend-
HB 1889	ment
HB 1890	HB 1140
CS for HB 820	SB 462
HB 475	

The Committee on Health and Rehabilitative Services recommends the following pass:

SB 1219 with 3 amendments	SB 1249 with 1 amendment
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The Committee on Natural Resources and Conservation recommends the following pass:

CS for HB 276	HB 583 with 2 amendments	HB 1366
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The bills contained in the foregoing reports were placed on the calendar.

The Committee on Judiciary recommends the following pass:  
SB 690

The Committee on Governmental Operations recommends the following pass: SB 383 with 5 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1163 with 1 amendment

The Committee on Education recommends the following pass:  
SB 625 with 1 amendment, SB 804

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Agriculture recommends a Committee Substitute for the following: SB 895

The Committee on Agriculture recommends a Committee Substitute for the CS for SB 362 recommended by the Committee on Governmental Operations.

The Committee on Commerce recommends a Committee Substitute for the following: SB 870

The Committee on Criminal Justice recommends a Committee Substitute for the following: SB 1228

The Committee on Judiciary recommends a Committee Substitute for the following:

SB 1257	SB 1060 with 9 amendments
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The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 943 with 1 amendment

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 912 with 1 amendment

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1193 with 4 amendments

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: Senate Bills 1119 (1121 and 1171)

The Committee on Education recommends a Committee Substitute for the following: SB 1303

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 604

The Committee on Education recommends a Committee Substitute for the following: SB 1162 and SB 1166

The Committee on Education recommends a Committee Substitute for the following: SB 1291

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends the following not pass: HB 1505, SB 1170

The Committee on Education recommends the following not pass: SB 1309

The Committee on Judiciary recommends the following not pass: SB 1117, SB 1217

The Committee on Transportation recommends the following not pass: HB 686

The bills contained in the foregoing reports were laid on the table.

The Select Subcommittee of the Judiciary Committee recommends a committee substitute for SB 1060 to the standing committee.

The Select Subcommittee of the Consumer Affairs Committee recommends a committee substitute for SB 836 to the standing committee.

#### BILL REFERRED TO SUBCOMMITTEE

Governmental Operations: Select Subcommittee—CS for SB 170.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 16, 1973

Dear Mr. President:

Your Standing Committee on Natural Resources and Conservation to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Ray Eddy Ormond Beach	Member, Ponce DeLeon Port Authority, Volusia County	February 1, 1975

NAME	OFFICE	FOR TERM ENDING
J. Carlyle Harvey New Smyrna Beach	Member, Ponce DeLeon Port Authority, Volusia County	February 1, 1977
W. D. Frederick, Jr. Orlando	Member, Pollution Control Board	Pleasure of the Governor
M. L. Flora Panama City	Member, Board of Pilot Commissioners for the Port of Panama City, Bay County, State of Florida Department of Professional and Occupational Regulation	June 14, 1973

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointments made by the Governor.

Respectfully submitted,

W. D. CHILDERS, Chairman  
RICHARD J. DEEB  
WARREN S. HENDERSON  
JOHN W. VOGT  
WILLIAM G. ZINKIL, SR.

LEW BRANTLEY, Vice Chair-  
man  
TOM GALLEN  
HENRY SAYLER  
SHERMAN S. WINN

On motion by Senator Childers, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointments set forth in the foregoing report. The vote was:

Yeas—35

Mr. President	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Johnson	Plante	Vogt
Deeb	Johnston	Poston	Ware
de la Parte	Lane (31st)	Saunders	Williams
Firestone	Lane (23rd)	Sayler	Wilson
Gillespie	Lewis	Scarborough	Winn
Glisson	McClain	Sims	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

By unanimous consent Senator Henderson was recorded as voting yea.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 15, 1973

Dear Mr. President:

Your standing Committee on Education to whom was referred for inquiry and recommendation the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Theresa Castro Ft. Lauderdale	Member, Board of Trustees for the Florida School for the Deaf and the Blind	September 30, 1976

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

D. ROBERT GRAHAM  
Chairman  
JACK D. GORDON  
Vice-Chairman  
JIM GLISSON  
DAVID C. LANE

PHILIP D. LEWIS  
CURTIS PETERSON  
RICHARD A. PETTIGREW  
KENNETH A. PLANTE  
BOB SAUNDERS  
BRUCE SMATHERS

On motion by Senator Graham, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—36

Mr. President	Gordon	Myers	Stolzenburg
Brantley	Graham	Peterson	Sykes
Childers	Gruber	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (31st)	Saunders	Williams
Gallen	Lane (23rd)	Sayler	Wilson
Gillespie	Lewis	Scarborough	Winn
Glisson	McClain	Sims	Zinkil

Nays—None

By unanimous consent Senator Henderson was recorded as voting yea.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 15, 1973

Dear Mr. President:

Your standing Committee on Education to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

Members, State Board of Independent  
Colleges and Universities

FOR TERM  
ENDING

Richard V. Moore  
Daytona Beach

August 24, 1975

David Delo  
Tampa

March 20, 1975

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent and approve the aforesaid appointments made by the Governor.

Respectfully submitted,

D. ROBERT GRAHAM  
Chairman  
JACK D. GORDON  
Vice-Chairman  
JIM GLISSON  
DAVID C. LANE

PHILIP D. LEWIS  
CURTIS PETERSON  
RICHARD A. PETTIGREW  
KENNETH A. PLANTE  
BOB SAUNDERS  
BRUCE SMATHERS

On motion by Senator Graham, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointments set forth in the foregoing report. The vote was:

Yeas—38

Mr. President	Gordon	Peterson	Trask
Barron	Graham	Pettigrew	Vogt
Brantley	Gruber	Plante	Ware
Childers	Johnson	Poston	Weber
Deeb	Johnston	Saunders	Williams
de la Parte	Lane (31st)	Sayler	Wilson
Firestone	Lane (23rd)	Scarborough	Winn
Gallen	Lewis	Sims	Zinkil
Gillespie	McClain	Stolzenburg	
Glisson	Myers	Sykes	

Nays—None

By unanimous consent Senator Henderson was recorded as voting yea.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 15, 1973

Dear Mr. President:

Your standing Committee on Education to whom was referred for inquiry and recommendation the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Jack McGriff Gainesville	Member, Board of Regents	January 1, 1982

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

D. ROBERT GRAHAM  
Chairman  
JACK D. GORDON  
Vice-Chairman  
JIM GLISSON  
DAVID C. LANE

PHILIP D. LEWIS  
CURTIS PETERSON  
RICHARD A. PETTIGREW  
KENNETH A. PLANTE  
BOB SAUNDERS  
BRUCE SMATHERS

On motion by Senator Graham, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointment set forth in the foregoing report. The vote was:

Yeas—38

Mr. President	Gordon	Peterson	Trask
Barron	Graham	Pettigrew	Vogt
Brantley	Gruber	Plante	Ware
Childers	Johnson	Poston	Weber
Deeb	Johnston	Saunders	Williams
de la Parte	Lane (31st)	Sayler	Wilson
Firestone	Lane (23rd)	Scarborough	Winn
Gallen	Lewis	Sims	Zinkil
Gillespie	McClain	Stolzenburg	
Glisson	Myers	Sykes	

Nays—None

By unanimous consent Senator Henderson was recorded as voting yea.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 15, 1973

Dear Mr. President:

Your standing Committee on Education to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

MEMBERS OF THE BOARD OF TRUSTEES  
OF THE FOLLOWING: FOR TERM  
ENDING

EDISON COMMUNITY COLLEGE:

Richard C. Ackert, Fort Myers	May 31, 1975
Ida S. Baker, Fort Myers	May 31, 1974

HILLSBOROUGH COMMUNITY COLLEGE:

Marlene M. Smith, Tampa	May 31, 1974
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INDIAN RIVER COMMUNITY COLLEGE:

Clem Cornelius Benton, Sr., Fort Pierce	May 31, 1975
Ben L. Bryan, Sr., Fort Pierce	May 31, 1973
William L. Hendry, Okeechobee	May 31, 1974

PENSACOLA JUNIOR COLLEGE:

L. C. Simpler, Milton	May 31, 1974
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—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent and approve the aforesaid appointments made by the Governor.

Respectfully submitted,

D. ROBERT GRAHAM  
Chairman  
JACK D. GORDON  
Vice-Chairman  
JIM GLISSON  
DAVID C. LANE

PHILIP D. LEWIS  
CURTIS PETERSON  
RICHARD A. PETTIGREW  
KENNETH A. PLANTE  
BOB SAUNDERS  
BRUCE SMATHERS

On motion by Senator Graham, the report of the Committee was adopted, and the Senate in open session advised and consented to and approved the appointments set forth in the foregoing report. The vote was:

## Yeas—40

Mr. President	Gordon	Myers	Stolzenburg
Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil

## Nays—None

## ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 553 with 3 amendments      CS for SB 835 with 1  
SB 798 with 4 amendments      amendment

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

*ELMER O. FRIDAY, Secretary*

The bills were certified to the House.

## ENROLLING REPORT

Your Enrolling Clerk to whom was referred SB 633

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 16, 1973.

*ELMER O. FRIDAY, Secretary*

Senator Saunders moved that the rules be waived and a bill temporarily identified as SB 4-A relating to the Florida Retirement System Act be introduced.

The motion was referred to the Committee on Rules and Calendar for advisory recommendation pursuant to Rule 4.4.

Senator Zinkil moved that the rules be waived and a bill temporarily identified as SB 5-A relating to the Division of General Legislation of the Department of Business Regulation be introduced.

The motion was referred to the Committee on Rules and Calendar for advisory recommendation pursuant to Rule 4.4.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Stolzenburg, SB 498 was withdrawn from the Committee on Transportation by two-thirds vote and from further consideration of the Senate.

On motion by Senator Graham, HB 1109 was withdrawn from the Committee on Education by two-thirds vote and placed on the calendar.

On point of order by Senator Lane (31st), SB 1249 was referred to the Committee on Ways and Means pursuant to Rule 4.6.

On motion by Senator Saunders, HB 413 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Johnston, SM 528 was withdrawn from the Committee on Rules and Calendar by two-thirds vote and placed on the calendar.

Senator Johnston moved that CS for CS for SB 817 be re-committed to the Committee on Criminal Justice.

Senator Williams moved that debate on the motion be limited to two minutes per side. The motion failed to receive the necessary two-thirds vote for adoption. The vote was:

## Yeas—21

Mr. President	Graham	Pettigrew	Williams
Brantley	Henderson	Plante	Wilson
Deeb	Lane (31st)	Stolzenburg	Zinkil
de la Parte	Lewis	Vogt	
Gillespie	Myers	Ware	
Gordon	Peterson	Weber	

## Nays—14

Barron	Gruber	McClain	Sykes
Childers	Johnson	Poston	Trask
Firestone	Johnston	Scarborough	
Glisson	Lane (23rd)	Sims	

The motion by Senator Johnston failed by the following vote:

## Yeas—18

Barron	Johnston	Scarborough	Trask
Brantley	Lane (31st)	Sims	Ware
Childers	Lewis	Smathers	Weber
Deeb	McClain	Stolzenburg	
Johnson	Sayler	Sykes	

## Nays—19

Mr. President	Gordon	Myers	Vogt
Firestone	Graham	Peterson	Williams
Gallen	Gruber	Pettigrew	Wilson
Gillespie	Henderson	Plante	Winn
Glisson	Lane (23rd)	Poston	

Senator Scarborough raised a parliamentary inquiry as to his having designated a subcommittee of the Committee on Judiciary to inquire into and make recommendations concerning a particular subject, and the subcommittee had purportedly reported out a committee substitute for the measure in question and assigned to it. At the hearing of the full committee an amendment was offered which was identical to an amendment offered to and rejected by the subcommittee... the inquiry is, can the full committee consider and adopt such an amendment by a mere majority vote (or does it require a two-thirds vote, as the rules specify for a standing subcommittee)?

President: Only one standing committee of the Senate is currently possessed of standing subcommittees—Ways and Means. Distinction is made in Rule 2 between standing subcommittees and select subcommittees. The report or recommendation of select subcommittees is *advisory* only. A standing committee is compelled to consider a bill referred to it notwithstanding any action by a select subcommittee (or an unfavorable report thereof). It does not require a two-thirds vote for the membership of a standing committee to report favorably a bill reported unfavorably by a select subcommittee. That part of Rule 2.1 providing for the creation of select subcommittees which says, "Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees...", relates only to the manner in which such subcommittees shall function and has nothing whatsoever to do with jurisdiction of the full standing committee in handling that report.

Many senators have been misled by that language. Some senators have misconstrued Rule 2.14 which relates only to standing subcommittee reports. Whether the word 'standing' precedes, and therefore limits, the word committee in said Rule 2.14 the entirety of that rule relates to the reports of standing subcommittees. Notwithstanding a determination by a select subcommittee, the full committee *must* when hearing a Senate bill (1) give notice as required by the Rule; (2) permit witnesses to testify and in all other respects respond to the requirements of Rule 2. To rule, as some suggest, that there is no difference between a select subcommittee and a standing subcommittee is to make a mockery of the entirety of Rule 2, which is a deliberate effort to give a standing subcommittee essentially the same status as a full standing committee insofar as the formality of its hearing and the weight of its decisions be concerned.

I conclude by ruling and advising that a select committee's report is advisory and carries no greater weight. To construe otherwise would extend the right of defeat to a chairman—a formidable right in the hand of a tyrant. The language, particularly in the context of the entirety of Rule 2, rings clear and compellingly, "Their reports (select subcommittees) whether favorable or unfavorable, shall be considered by the standing committee."

On motion by Senator Poston, CS for HB 1589 was withdrawn from the Committee on Transportation by two-thirds vote.

The President introduced the doctors of the day, Dr. B. L. Stalnaker, Obstetrician and Gynecologist, Pensacola, and Dr. Thomas M. Quehl, President, Florida Academy of Family Physicians, St. Petersburg.

On motion by Senator Brantley, HB 1015 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

#### REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 314 by Senator Johnson	SB 914 by Senator Gallen
SB 605 by Senator Poston	SB 920 by Senator Winn
HB 609 by Representative Birchfield	SB 925 by Senator Johnston
HB 736 by Representative Birchfield	SB 929 by Senator Johnston
HB 737 by Representative Birchfield	SB 930 by Senator Johnston
SB 277 by Senator Winn	SB 932 by Senator Johnston
SB 301 by Senator Johnson	SB 934 by Senator Johnston
SB 646 by Senator Barron	SB 940 by Senator Weber
HCR 685 by Representative Holloway	SB 942 by Senator Saylor
HB 707 by Representative Harris	SB 945 by Senator Childers
SB 778 by Senator Gallen	SB 950 by Senator Johnston
SB 779 by Senator Gallen	SB 951 by Senator Johnston
SB 826 by Senator Trask	SB 958 by Senator Lane
SB 828 by Senator Pettigrew	(31st)
SB 832 by Senator Gallen	SB 999 by Senator Poston
SB 843 by Senator Gallen	SB 993 by Senator Deeb
SB 844 by Senator Gallen	SB 1000 by Senator Lane
SB 862 by Senator Brantley	(31st)
SB 896 by Senator Gallen	SB 1002 by Senator Brantley
SB 909 by Senator Trask	SB 1003 by Senator Lane
	(23rd)
	SB 1004 by Senator Glisson
	SB 1017 by Senator Vogt
	SB 1023 by Senator Deeb
	HB 1107 by Representative Birchfield

The Committee on Agriculture requests an extension of 10 days for the consideration of the following:

SB 661 by Senator Lane	SB 1008 by Senator Peterson
(31st)	SB 1056 by Senator Lewis

The Committee on Criminal Justice requests an extension of 10 days for the consideration of the following:

SB 480 by Senator Firestone	SB 466 by Senator Firestone
SB 483 by Senator Glisson	SB 784 by Senator Vogt
SB 476 by Senator Poston	SB 816 by Senator Pettigrew
SB 587 by Senator Glisson	SB 474 by Senator Pettigrew
SB 583 by Senators Deeb and Myers	

The Committee on Education requests an extension of 10 days for the consideration of the following:

SB 758 by Senator Wilson	SB 1053 by Senator Childers
SB 759 by Senator Gordon	SB 1084 by Senator Lewis
SB 760 by Senator Gordon	SB 1158 by Senator Gordon
SB 766 by Senator Peterson	SB 1162 by Senator Peterson
SB 792 by Senator Smathers	SB 1166 by Senator Lewis
SB 793 by Senator Smathers	SB 1176 by Senator Childers
SB 819 by Senator Weber	SB 1177 by Senator Childers
SB 820 by Senator Childers	SB 1183 by Senator Childers
SB 823 by Senator Peterson	SB 1190 by Senators Peterson and Trask
SB 841 by Senator Gordon	SB 1208 by Senator Graham
SB 894 by Senator Graham	SB 1221 by Senator Gordon
SB 917 by Senator Gillespie	SB 1230 by Senator Lane
SB 918 by Senator Graham	(31st)
SB 1042 by Senator Lewis	

SB 1245 by Senator Poston	SB 1312 by Senator Firestone
SB 1283 by Senator Smathers	SB 840 by Senator Gillespie
SB 1302 by Senator Childers	

The Committee on Governmental Operations requests an extension of 10 days for the consideration of the following:

SB 470 by Senator Poston	SB 1054 by Senator de la Parte
SB 472 by Senator Brantley	SB 1058 by Senator Winn
SB 487 by Senator Poston	SB 1065 by Senator Zinkil
SB 493 by Senator Vogt	SB 1069 by Senator Deeb
SB 497 by Senator Lane	SB 1076 by Senator Graham
(31st)	SB 1081 by Senator Johnson
SB 505 by Senator Pettigrew	SB 1088 by Senator Lane
SB 513 by Senator Myers	(31st)
SB 514 by Senator Glisson	SB 1087 by Senator Lane
SB 522 by Senator Deeb	(31st)
SB 533 by Senator Lane	SB 1094 by Senator Sims
(31st)	SB 1100 by Senator Lane (23rd)
SB 543 by Senator Deeb	SB 1113 by Senator Johnson
SB 613 by Senator Johnson	SB 1122 by Senator Gordon
SB 636 by Senator Gallen	SB 1126 by Senator Poston
SB 648 by Senator Johnson	SB 1133 by Senator Stolzenburg
SB 656 by Senator Scarborough	SB 1134 by Senator Williams
SB 668 by Senator Johnson	SB 1167 by Senator Johnston
SB 671 by Senator Firestone	SB 1172 by Senator Poston
SB 687 by Senator Saylor	SB 1182 by Senator Smathers
SB 693 by Senator Pettigrew	SB 1198 by Senator Poston
SB 694 by Senator Pettigrew	SB 1206 by Senator Firestone
SJR 695 by Senator Pettigrew	SB 1210 by Senator de la Parte
SB 698 by Senator Johnson	SB 1216 by Senator Plante
SB 699 by Senator Johnson	SB 1218 by Senator Horne
SB 710 by Senator Pettigrew	SB 1223 by Senator Plante
SB 715 by Senator Pettigrew	SB 1232 by Senator Trask
SB 737 by Senator Gillespie	SB 1242 by Senator Smathers
SB 738 by Senator Winn	SB 1260 by Senator de la Parte
SB 746 by Senator Pettigrew	SB 1274 by Senator Childers
SB 947 by Senator Gillespie	SB 1296 by Senator Smathers
SB 957 by Senator de la Parte	SB 1298 by Senator Smathers
	SB 1297 by Senator Smathers
SB 962 by Senator Pettigrew	SB 1310 by Senator Deeb
SB 965 by Senator Pettigrew	SB 1315 by Senator Firestone
SJR 969 by Senator Brantley	SB 1316 by Senator Lane (23rd)
SB 1012 by Senator Pettigrew	HB 192 by Representative Steinberg
SB 1013 by Senator Gillespie	CS for HB 378 by Committee on Community Affairs and Representative Johnson
SB 1018 by Senator Firestone	
SB 1027 by Senator Glisson	HB 524 by Representative Carlucci
SB 1029 by Senator Brantley	
SB 1036 by Senator Lewis	
SB 1050 by Senator Lane	
(31st)	

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 138 by Senator McClain	SB 99 by Senator Weber
CS for HB 466 by Elections Committee	SB 610 by Senator de la Parte

The Committee on Transportation requests an extension of 10 days for the consideration of the following:

SB 1028 by Senator Lane (23rd)	SCR 1035 by Senator de la Parte
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#### MESSAGE FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 100, 117, 176, 228, 241, 354, 373 and 419 which he had approved May 15, 1973.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Mallory E. Horne, President* May 16, 1973

I am directed to inform the Senate that the House of Representatives has passed SB 905.

*Allen Morris, Clerk*

*The Honorable Mallory E. Horne, President* May 16, 1973

I am directed to inform the Senate that the House of Representatives has adopted—

SCR 52                      SCR 347                      SCR 655

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable Mallory E. Horne, President* May 16, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Natural Resources and Conservation—

CS for SB 442—A bill to be entitled An act relating to salt-water conservation; amending §370.08, Florida Statutes, adding subsection (10) thereto; prohibiting the use of chemicals in the capture of marine species unless a permit is obtained from the division of marine resources; providing a penalty; providing an effective date.

Amendment 1—On page 1, line 14, strike everything after the enacting clause and insert the following:

Section 1. Section 370.08, Florida Statutes, is amended by adding subsection (10) to read:

370.08 Fisherman and equipment; regulation.—

(10) *Illegal use of poisons, drugs or chemicals.*—

(a) *It is unlawful for any person to place poisons, drugs, or other chemicals in the marine waters of this state unless that person has first obtained a permit for such use from the division of marine resources of the department of natural resources.*

(b) *The division may issue a permit to use poisons, drugs or other chemicals in the marine waters of this state for the purpose of capturing live marine species upon application on forms furnished by the division. The application and permit shall specify the area in which collecting will be done, the drugs, chemicals or poisons to be used, and the maximum amounts and concentrations at each sampling.*

(c) *Violation of this act shall constitute a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083. The department of natural resources may revoke the permit for violation of the conditions placed on its issuance.*

Section 2. This act shall take effect upon becoming a law.

Amendment 2—On page 1, line 3, strike everything before the enacting clause and insert the following: A bill to be entitled An Act relating to salt water conservation; amending §370.08, Florida Statutes, adding subsection (10) thereto; prohibiting the use of chemicals unless a permit is obtained from the division of marine resources; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

On motions by Senator Childers, the Senate concurred in House amendments 1 and 2 to CS for SB 442.

CS for SB 442 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—34

Mr. President	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Plante	Ware
Deeb	Johnson	Poston	Williams
de la Parte	Johnston	Saylor	Wilson
Firestone	Lane (81st)	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil
Gillespie	Lewis	Stolzenburg	
Gordon	Myers	Sykes	

Nays—None

By unanimous consent Senator McClain was recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Poston—

SB 177—A bill to be entitled An act relating to professional land surveyors; amending §472.04, Florida Statutes; providing qualifications for applicants for examination as a professional land surveyor; providing a surveyor-in-training program; fixing fees; providing for disposition of fees collected; providing an effective date.

Amendment 1—On page 1, line 25, strike . (period) and insert the following: : (colon)

Amendment 2—On page 1, lines 26-29, strike "1. The applicant is a graduate of an approved course of study in land surveying from a college or university recognized by the Florida State Board of Professional Engineers and Land Surveyors and has a specific experience record of" and insert the following: 1. The applicant is a graduate of an approved four year or more course of study in land surveying at an accredited college or university and has a specific experience record of

Amendment 3—On page 3, lines 5-10, strike all of lines 5 through 10 and insert the following: 4. The applicant has successfully completed a board approved correspondence course in land surveying and has a specific experience record of eight or more years as a subordinate to a professional land surveyor, six years of which shall be in the active practice of land surveying, of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying work performed. The required experience under this subparagraph may be achieved concurrently with the education requirement; or

5. The applicant has a specific experience record of ten or more years as a subordinate to a professional land surveyor, eight years of which shall be in the active practice of land surveying, of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying work performed.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

On motion by Senator Poston, the Senate concurred in House amendment 1 to SB 177.

Senator Poston moved that the Senate concur in House amendments 2 and 3.

Senator Graham moved as a substitute motion that the Senate refuse to concur in Amendments 2 and 3 and the House be requested to recede therefrom. The substitute motion was adopted by the following vote:

Yeas—19

Childers	Henderson	Scarborough	Ware
Deeb	Johnston	Sims	Weber
Glisson	McClain	Smathers	Wilson
Gordon	Myers	Stolzenburg	Winn
Graham	Pettigrew	Trask	

Nays—14

Mr. President	Gillespie	Peterson	Vogt
Brantley	Gruber	Plante	Zinkil
Firestone	Johnson	Poston	
Gallen	Lane (23rd)	Sykes	

By unanimous consent Senators Lewis and Saylor were recorded as voting yea.

The action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Trask—

SB 563—A bill to be entitled An act relating to sale of securities; amending Chapter 517, Florida Statutes, by amending subsections (4) and (6) of §517.02, Florida Statutes, to delete the term "in this state" and to include within (6) acting as an investment adviser; amending subsections (4), (7), (8), (11) and (18) of §517.06, Florida Statutes, to provide that subsection (4) shall also include trusts and partnerships, amending subsection (7) to provide substantial requirements for notes secured by mortgages including a limit on the amount which can be loaned of eighty per centum of the value of the securing property, amending subsection (8) to provide requirements for mortgages, including within subsection (11) sales made pursuant to any other subsection, and amending subsection (18) to include exemptions for stock purchase plans; amending subsection (1) of §517.12, Florida Statutes, to require registration of dealers or salesmen who sell securities to residents of this state from offices outside the state by mail or otherwise; providing an effective date.

Which amendment reads as follows:

On page 1 in the title, line 6, after "(4)" and on page 2, line 4, after "(4)" insert: (d)

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

On motion by Senator Trask, the Senate concurred in the House amendment to SB 563.

SB 563 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Graham	Pettigrew	Trask
Barron	Gruber	Plante	Vogt
Brantley	Johnson	Poston	Ware
Childers	Johnston	Scarborough	Weber
de la Parte	Lane (23rd)	Sims	Wilson
Firestone	Lewis	Smathers	Winn
Gillespie	McClain	Stolzenburg	Zinkil
Gordon	Myers	Sykes	

Nays—None

By unanimous consent Senators Peterson, Glisson, Henderson and Sayler were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendment 1; has reconsidered its passage; has reconsidered Amendment 1 and has adopted substitute amendment 1 and has passed as further amended—

By Senator de la Parte—

SB 172—A bill to be entitled An act relating to legislative procedure; amending §11.011, Florida Statutes; establishing procedure for convening and extending a special legislative session by gubernatorial proclamation; requiring the governor to communicate his legislative proposals in bill form prior to convening the special session; providing for public notice of meetings of both houses and committee meetings during a special session; providing an effective date.

Substitute Amendment 1—On page 2, line 7, strike "twenty days" and insert the following: fifteen days

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

On motion by Senator de la Parte, the Senate concurred in the substitute House amendment to SB 172.

SB 172 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—30

Mr. President	Gruber	Peterson	Trask
Brantley	Henderson	Pettigrew	Ware
Childers	Johnson	Plante	Weber
de la Parte	Johnston	Poston	Wilson
Firestone	Lane (23rd)	Scarborough	Winn
Glisson	Lewis	Sims	Zinkil
Gordon	McClain	Smathers	
Graham	Myers	Sykes	

Nays—None

By unanimous consent Senators Williams and Sayler were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 16, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator McClain and others—

SB 94—A bill to be entitled An act relating to misleading advertising; amending §817.41, Florida Statutes, by adding subsection (5) thereto; prohibiting retailers from advertising merchandise unless they have sufficient quantities to meet the foreseeable demand or state that quantities are limited; providing exceptions; providing civil penalties for misleading advertising; providing an effective date.

Amendment 1—On page 2, line 1, strike "showing a violation of this section in a civil action" and insert the following: prevailing in civil action for violation of this section

Amendment 2—On page 2, line 3, strike "and shall receive punitive damages equal to three times the total of actual damages" and insert the following: and may be awarded punitive damages

Amendment 3—On page 1, line 24, strike "or the number" and insert the following: and the approximate number

Amendment 4—On page 1, line 25, strike "raincheck or other"

Amendment 5—On page 1, in the title, line 8, strike ";" and insert the following: and the approximate number of items is stated in the advertisement;

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

On motions by Senator Zinkil, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to SB 94.

SB 94 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—26

Mr. President	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Deeb	Johnson	Pettigrew	Vogt
de la Parte	Johnston	Poston	Winn
Firestone	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	
Gordon	McClain	Smathers	

Nays—4

Henderson	Ware	Weber	Wilson
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By unanimous consent Senators Childers and Sayler were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendment 2 to—

By Senator Poston—

SB 254—A bill to be entitled An act relating to executive appointments; amending §112.071(1)(a), (b), Florida Statutes, to provide that a data sheet containing background or biographi-



cal material concerning the appointee be sent to the senate with each appointment; providing for submission of fingerprint card; providing an effective date.

**Amendment 2**—On page 2, line 30, insert the following: After notification by the department of state, the pending appointments shall be subject to change or withdrawal only by the Governor making such appointments.

—and again requests the Senate to concur; and in the event the Senate refuses to concur, requests the appointment of a Conference Committee.

*Allen Morris, Clerk*

On motion by Senator Poston, the Senate refused to concur in House amendment 2 to SB 254.

The President appointed Senators Poston, Johnson and Pettigrew as conferees on the part of the Senate and the action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments 1 and 2 to—

By Senators Gallen and Gillespie—

**SB 118**—A bill to be entitled An act relating to insurance agents; amending §626.968, Florida Statutes; increasing the amount permitted as an advertising gift from five dollars to twenty-five dollars; providing an effective date.

**Amendment 1**—On page 1, line 18, strike “twenty-five dollars” and insert the following: *ten dollars*

**Amendment 2**—In the title, on page 1, line 7 strike “twenty-five” and insert the following: *ten*

—and again requests the Senate to concur and in the event the Senate again refuses to concur, requests the appointment of a Conference Committee.

*Allen Morris, Clerk*

On motion by Senator Gallen the Senate refused to concur in amendments 1 and 2 to SB 118.

The President appointed Senators Gallen, Brantley and Weber as conferees on the part of the Senate and the action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 16, 1973**

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment to HB 1392 and the Speaker has appointed Representatives Andrews, Dubbin, Harris and Tillman as a Conference Committee on the part of the House, and requests the President of the Senate to appoint a like committee.

*Allen Morris, Clerk*

The President announced the appointment of Senators Trask, Henderson, Graham and de la Parte as conferees on the part of the Senate. The action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 16, 1973**

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments to CS for HB 979 and the Speaker has appointed Representatives Andrews, Dubbin, Harris and Tillman as a Conference Committee on the part of the House, and requests the President of the Senate to appoint a like committee.

*Allen Morris, Clerk*

The President announced the appointment of Senators Trask, Henderson, Graham and de la Parte as conferees on the part of the Senate. The action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 16, 1973**

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments to CS for HB 428 and the Speaker has appointed Representatives Harris, Andrews, Dubbin and Tillman as a Conference Committee on the part of the House and requests the President of the Senate to appoint a like committee.

*Allen Morris, Clerk*

The President announced the appointment of Senators Trask, Henderson, Graham and de la Parte as conferees on the part of the Senate. The action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 14, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative MacKay—

**HB 1381**—A bill to be entitled An act relating to governmental organization; amending §§20.17(2) and 443.03(16)(b), Florida Statutes; amending subsection (2) of §20.17, Florida Statutes, 1972 Supplement, establishing a division of employment security; creating subsection (10) of §20.17, Florida Statutes, 1972 Supplement, providing for bureaus within the division; providing an effective date.

By Representative Tucker—

**HB 311**—A bill to be entitled An act to amend subsections (2) and (3) of Section 440.12, Florida Statutes, relating to workmen's compensation, by providing an increase in weekly benefits; and providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1381, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

HB 311, contained in the above message, was read the first time by title and referred to the Committees on Commerce and Judiciary.

*The Honorable Mallory E. Horne, President*      **May 14, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Criminal Justice and Representative Shreve and others—

**CS for HB 1597**—A bill to be entitled An act relating to driving while under the influence; amending section 316.028, Florida Statutes, 1971, to provide penalties for driving with an unlawful blood alcohol level; adding a new subsection (b) to §322.261(1), Florida Statutes, and redesignating subsequent paragraphs accordingly, to provide for prearrest breath test; amending §322.262(2), Florida Statutes, 1971, to provide for unlawful driving with certain blood alcohol percentages; prohibiting trial judge accepting lesser plea if blood alcohol level exceeds certain level; amending §322.28(2), Florida Statutes, 1972 Supplement, to include unlawful blood alcohol level, to change the words “intoxicating liquor” to “alcoholic beverages,” to change the period within which a bail bond may be vacated; creating §§322.281 and 322.282, Florida Statutes, to provide for mandatory adjudication and the procedures when a license is reinstated and restricted; amending §322.264 (1)(b), Florida



Statutes, 1972 Supplement, to include unlawful blood alcohol level in the definition of habitual traffic offender; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

CS for HB 1597, contained in the above message, was read the first time by title and referred to the Committee on Criminal Justice.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Judiciary—

HB 1912—A bill to be entitled An act relating to municipal courts; creating section 43.40, Florida Statutes, requiring municipalities to advise chief judge of circuit as to existence and caseload of municipal court; providing an effective date.

By the Committee on Judiciary—

HB 1913—A bill to be entitled An act relating to corporations not for profit; creating §617.021 (1) (p), Florida Statutes; providing a corporation not for profit the power to merge or consolidate with a foreign corporation not for profit; creating §617.0525, Florida Statutes; providing for the consolidation or merger of domestic and foreign corporations not for profit; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1912, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 1913, contained in the above message, was read the first time by title and placed on the calendar.

*The Honorable Mallory E. Horne, President* May 15, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Tobiasen—

HB 320—A bill to be entitled An act relating to school personnel, continuing contracts; amending §231.36(3)(d), Florida Statutes, 1972 Supplement; allowing school boards to issue continuing contracts to new teachers previously employed within the state; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 320, contained in the above message, was read the first time by title and referred to the Committee on Education.

*The Honorable Mallory E. Horne, President* May 14, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative MacKay and others—

HB 1746—A bill to be entitled AN ACT relating to the department of community affairs; amending subsection (2) of section 20.18, Florida statutes to provide for the designation of a division of human development and the redesignation of the division of technical assistance as the division of local government services; transferring the division of economic opportunity and the division of migrant labor to the division of human development; transferring the division of training and professional development to the division of local

government services; transferring the functions of the bureau of aging from the department of health and rehabilitative services to the division of aging in the department of community affairs; amending subsection (4)(a) of section 20.18, Florida Statutes, to include the director of the division of local government services as a member of the intergovernmental coordinating council on community services; providing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1746, contained in the above message, was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Governmental Operations.

*The Honorable Mallory E. Horne, President* May 14, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Commerce and Representative Tucker—

CS for HB 313—A bill to be entitled An act relating to workmen's compensation; amending subsection (1) of section 440.12, Florida Statutes, to provide that if the injury results in disability of more than fourteen days compensation shall be allowed from the commencement of the disability; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

CS for HB 313, contained in the above message, was read the first time by title and referred to the Committees on Judiciary and Commerce.

*The Honorable Mallory E. Horne, President* May 14, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Holloway—

HB 351—A bill to be entitled An act relating to the sales and use tax; amending subsection 212.05(1), Florida Statutes, to exempt from said tax the isolated or occasional sale of used boats and other used vehicles to purchasers who will use such boats or other vehicles in this state only in the course of the immediate removal of same from this state; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 351, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Mallory E. Horne, President* May 14, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Nelson—

HB 1216—A bill to be entitled An act relating to artesian wells; amending §373.041, Florida Statutes, 1971, relating to penalties for violations, to require that violations be with knowledge and intent and to provide that violation is subject to certain remedial measures or to a civil penalty of one hundred dollars (\$100) a day for each violation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1216, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Walker—

**HB 1238**—A bill to be entitled An act relating to the district school system; amending §230.17(2), Florida Statutes, 1971, to provide that regular or special meetings of district school boards may be held anywhere in the county under certain circumstances; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

*The Honorable Mallory E. Horne, President*      **May 16, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Grizzle and Gordon—

**HB 32**—A bill to be entitled An act relating to public schools; amending Section 231.39, Florida Statutes, by adding Subsection (3), authorizing maternity leave without pay for full-time instructional personnel; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

House Bills 1238 and 32, contained in the above messages, were read the first time by title and referred to the Committee on Education.

*The Honorable Mallory E. Horne, President*      **May 16, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Turlington and others—

**HB 404**—A bill to be entitled An act relating to governmental reorganization; amending §20.19(2) and (14), Florida Statutes; creating a division of children's medical services; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 404, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on House Administration and Representative Sessums—

**CS for HB 1632**—A bill to be entitled An act relating to the state officers' compensation commission; amending Section 112.192(1) and (2), Florida Statutes, 1972 Supplement, to provide for one year terms for all members of the commission; adding subsection (3), terminating on July 1, 1973 the terms of the members appointed heretofore; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

CS for HE 1632, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Judiciary—

**HB 1911**—A bill to be entitled An act relating to jurisdiction in landlord and tenant cases; amending §26.012(2) (g), Florida Statutes (1972), to remove jurisdiction in landlord and tenant possession cases from the circuit court; amending §34.011, Florida Statutes, to vest jurisdiction in landlord and tenant possession cases exclusively in the county court; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1911, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Dubbin and others—

**HB 1697**—A bill to be entitled An act curbing monopolies and outlawing restraints of trade; creating §542.15 through §542.34, Florida Statutes; providing civil remedies; providing for injunctive relief; providing penalties; repealing §542.01 through §542.12, Florida Statutes, relating to combinations restricting trade or commerce; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1697, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Sessums—

**HB 1630**—A bill to be entitled An act relating to the state officers' compensation commission; amending §112.192(3), Florida Statutes, 1972 Supplement, to provide that any person within the two (2) years prior to appointment that has sought to influence legislation, administrative decisions, or judicial decisions directly affecting the compensation of members or employees of the legislative, judicial, or executive branches of government, or those officers specified in §112.192(7), Florida Statutes, 1972 Supplement, on behalf of such members, employees, or officers, shall be ineligible to be a member of the commission; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HB 1630, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*      **May 15, 1973**

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Judiciary and Representative Baumgartner and others—

CS for HB's 170, 551, 921, and 1226—A bill to be entitled An act relating to jurors; amending section 40.08, Florida Statutes, creating subsections (1), (2) and (3) exempting certain persons from jury duty by reason of age, occupation and grand jury service; creating subsection (4), providing waiver of exemption; amending section 40.24, Florida Statutes, 1972 Supplement; providing that any juror who is excused from serving on any jury at his own request shall not be entitled to any compensation; repealing §§466.21 and 470.27, Florida Statutes, relating to exemptions for dentists, funeral directors and embalmers; providing an effective date.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

CS for HB's 170, 551, 921 and 1226, contained in the above message, was read the first time by title and referred to the Committee on Criminal Justice.

### Communications Formally Filed

Pursuant to Chapter 940.01(3), Florida Statutes, a report was filed with the Secretary of the Senate covering every case of fine or forfeiture remitted, reprieve, restoration of civil rights, pardon or commutation granted stating the name of the convict, the crime for which he was convicted, the sentence, its date, and the date of its remission, restoration of civil rights, commutation, pardon or reprieve since February 10, 1972. A copy was also received by the Office of the President and a copy delivered to the Committee on Ways and Means.

### SPECIAL ORDER

SB 606—A bill to be entitled An act relating to public education; requiring each school to compile and disseminate an annual report of school progress; providing for content of the report; assigning responsibility for its preparation; providing for distribution to parents or guardian; requiring the state board of education to develop guidelines; providing an effective date.

—as amended was taken up, together with the following pending amendment by Senators Weber and Plante:

**Amendment 2**—On page 1, line 23, after the period insert: However, no records shall be compiled or disseminated which designate the race, color, religion or national origin of any student, teacher or school employee.

Amendment 2 failed.

Senators Sykes and Graham offered the following amendment which was adopted on motion by Senator Sykes:

**Amendment 3**—On pages 1 and 2, insert: page 1, line 15, after the word "individual": public

page 1, line 21, after the word "each": public

page 2, line 22, after the word "each": public

page 3, line 3, after the word "each": public

Senator Sims moved the adoption of the following amendment:

**Amendment 4**—On pages 1 and 2, lines 22 and 22, strike "shall" and insert: may

Senator Barron presiding.

Amendment 4 failed by the following vote:

Yeas—12

Childers	Lane (23rd)	Sims	Vogt
Gallen	McClain	Stolzenburg	Ware
Johnston	Plante	Trask	Weber

Nays—22

Barron	Gordon	Myers	Sykes
Brantley	Graham	Peterson	Williams
de la Parte	Gruber	Pettigrew	Wilson
Firestone	Johnson	Poston	Winn
Gillespie	Lane (31st)	Scarborough	
Glisson	Lewis	Smathers	

On motion by Senator Stolzenburg the following amendment was adopted:

**Amendment 5**—On page 2, line 4, strike "and persons residing in the community served by the school"

On motion by Senator Graham the following amendment was adopted:

**Amendment 6**—On page 2, line 4, after the word "administrators," insert: and

SB 606 as further amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—24

Barron	Gordon	Lewis	Smathers
Brantley	Graham	Myers	Sykes
de la Parte	Gruber	Peterson	Trask
Firestone	Johnson	Pettigrew	Ware
Gillespie	Lane (31st)	Poston	Williams
Glisson	Lane (23rd)	Scarborough	Winn

Nays—10

Childers	McClain	Stolzenburg	Wilson
Gallen	Plante	Vogt	
Johnston	Sims	Weber	

SB 608—A bill to be entitled An act relating to district school boards; amending section 230.22, Florida Statutes, to provide that the school board shall establish school advisory committees, develop plans for their establishment, prescribe their functions, and make annual evaluation of their effectiveness; providing for review by the state department of education; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was adopted on motion by Senator Graham:

**Amendment 1**—On page 1, line 5, following "230.22," insert: subsection (1),

The Committee on Education offered the following amendment which was adopted on motion by Senator Graham:

**Amendment 2**—On page 1, line 15 following "230.22," insert: subsection (1),

Senators Plante, Glisson, Smathers and McClain offered the following amendment which was moved by Senator Plante:

**Amendment 3**—On page 2, line 7, strike "in each school"

Amendment 3 was adopted by the following vote:

Yeas—23

Barron	Gruber	Saunders	Trask
Brantley	Johnston	Sayler	Ware
Deeb	Lane (23rd)	Scarborough	Weber
de la Parte	McClain	Sims	Williams
Gallen	Peterson	Smathers	Zinkil
Glisson	Plante	Stolzenburg	

Nays—13

Childers	Graham	Poston	Winn
Firestone	Johnson	Sykes	
Gillespie	Lewis	Vogt	
Gordon	Pettigrew	Wilson	

Senator Barron announced that the Committee on Rules and Calendar would meet at 1:00 p.m. this day.

On motion by Senator Saunders, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to meet May 18 from 8:00 a.m. until 8:30 a.m. to take final action on the general appropriations bill.

Senator Williams announced cancellation of the Governmental Operations Committee meeting scheduled for May 18.

On motion by Senator Saunders, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider the following bills at the scheduled meeting this day: Senate Bills 264, 77, 749, 858, 955, 1262, 657, 984, 944, 74, 420, 922, 712, 394, CS for SB 136 and CS for HJR 637.

The Journal of May 15 was corrected as follows and approved:

Page 416, counting from the bottom of column 1, line 35, after (6) insert: page 1, lines 28 and 29, "and adding subsection (4)"

Page 416, counting from the bottom of column 1, line 34, after 18 insert : in title, page 1, lines 7 and 8, strike " and adding subsection (4) thereto" and

The Journal of May 14 was further corrected as follows and approved:

Page 397, column 2, between lines 4 and 5 insert:

I voted "nay" on amendment 9 by Senator Graham to CS for HB 979 as the Committee on Consumer Affairs, of which I am a member, recommended two bills separating the questions of "plating" and "permitting". I am in favor of the intent of the amendment but object to its being placed on this bill.

*Jim Glisson, 11th District*

#### CO-INTRODUCER

By permission Senator Wilson was recorded as a co-introducer of SB 1134.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:05 p.m. to reconvene at 9:00 a.m., May 18, 1973.